



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/802,202	02/18/97	STEFANDL	R 03187.51263

E. JANET BERRY, ESQ
274 MADISON AVENUE
ROOM 1304
NEW YORK NY 10016

12M2/1009

EXAMINER

HAMPTON HIGHTOWE, P
ART UNIT PAPER NUMBER

1207

DATE MAILED:

10/09/97

08/802,202

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 6/27/97

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or ~~thirty days~~, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-15 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-15 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

Art Unit: 1207

Information Disclosure Statement

The information disclosure statement filed June 27, 1997 is acknowledged and has been made of record.

Claim Rejections - 35 USC § 112

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The terms "*selective solvents, selective stepwise separation, preliminary substantial amounts, at least substantial percentages, preselected controlled temperature variations, as described and preselected variation*" in claims 1-21 are relative terms which render the claims indefinite. The terms "*selective solvents, selective stepwise separation, preliminary, substantial amounts, at least substantial percentages, preselected, controlled temperature variations, as described and preselected variation*" are not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Clarification is requested.

Claim Rejections - 35 USC § 102

Art Unit: 1207

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Tetr (U.S. Pat. No. 3,696,058).

Tetr discloses a process for the recovery or recovery scrap thermoplastic polymer such as polyamides, polyester, polyacrylonitriles and polyacetals by dissolving the polymer solution, mixing the polymer solution with an excess of water at 60°C to 100°C and separating the precipitated polymer from the aqueous mixture which anticipates the claimed invention. See abstract; cols. 1-10.

Facsimile Center

A Facsimile center has been established in Group 1200, Room 3C10. The hours of operation are Monday through Friday, 8:45 am to 4:45 pm. The telecopier numbers for accessing the facsimile machine are (703) 308-4556 or 305-3592.

Any inquiry concerning this communication should be directed to P. Hightower at telephone number (703) 308-2434.

Hightower:ayc
September 23, 1997

P. Hightower
P. HIGHTOWER
PATENT EXAMINER
SEP 23 1997